



**US Army Corps
of Engineers**
Louisville District ®

Public Notice

Public Notice No.
LRL-2013-1077-teh

Open Date:
3 Mar 2014

Close Date:
2 Apr 2014

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Todd Hagman, CELRL-OP-FS
P.O. Box 59
Louisville, KY 40201-0059
Email: lrl.regulatorypubliccomment@usace.army.mil

Phone: 502-315-6683

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act:

APPLICANT: Illinois Department of Transportation
Division of Highways, Region V, District 9
P.O. Box 100
Carbondale, IL 62903-0100

LOCATION: The project is located on Brush Creek, unnamed tributaries of Brush Creek, unnamed tributaries of White Oak Creek, unnamed tributaries of Eldorado Creek and 13 wetlands of the North Saline River, Eldorado to Texas City, Saline County, Illinois.

PURPOSE: To construct stream and wetland crossings in conjunction with the reconstruction of US 45 between Eldorado and Texas City.

Latitude: 37.807°N
Longitude: -88.439°W
7.5 Minute Quad: Eldorado and Broughton, IL

PROJECT BACKGROUND: The proposed reconstruction of US 45 would include 25 crossings of "waters of the United States (U.S.)." A total of 23 of these crossings, which would impact a total of 890 linear feet of streams and 1.11 acres of emergent and forested wetlands, were eligible for the 2012 Nationwide Permit (NWP) 14 for Linear Transportation Projects. Two crossings, which would impact a total of 2.66 acres of forested wetlands, are being reviewed as a standard permit and subject of this notice.

DESCRIPTION OF WORK: The applicant proposes to discharge approximately 88,000 cubic yards (cys) of fill material into 2.66 acres of forested wetlands to construct crossings along the US 45 reconstruction. The 6-mile reconstruction project would include expanding the roadway to provide a four lane facility that would start at State Route 142 in Eldorado to Texas City Road, near the community of Texas City, Saline County, Illinois. The fill material would consist of clean earthen fill from on-site and rock from a commercial source. The following table summarizes the proposed impacts to "waters of the U.S." for this review.

Wetland Impacts				
ID	Wetland Type	Acres	Discharge (cubic yards)	Proposed Mitigation
38	forested	2.06	53,738	6.18
39	forested	0.6	34,396	3.3
		2.66	88,134	9.48

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: Impacts to streams and wetlands were unavoidable considering that the proposed project involves expansion of an existing roadway that currently includes stream and wetland crossings. Mitigation would be required to compensate for the proposed impacts to the wetlands. The applicant proposes to create 12.4 acres of forested wetlands and 0.4 acre of emergent wetlands located adjacent to US 45 approximately 0.75 mile south of Texas City.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Illinois Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant, by this notice, hereby applies for State certification from the Illinois Environmental Protection Agency (ILEPA).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the

specific interest, which might be damaged by issuance of the DA Permit.

The National Register of Historic Places (NHRP) has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered

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in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. The Public Notice and drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Todd Hagman, CELRL-OP-FS at the address noted above and should refer to the Public Notice Number LRL-2013-1077-teh.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2013-1077-teh.

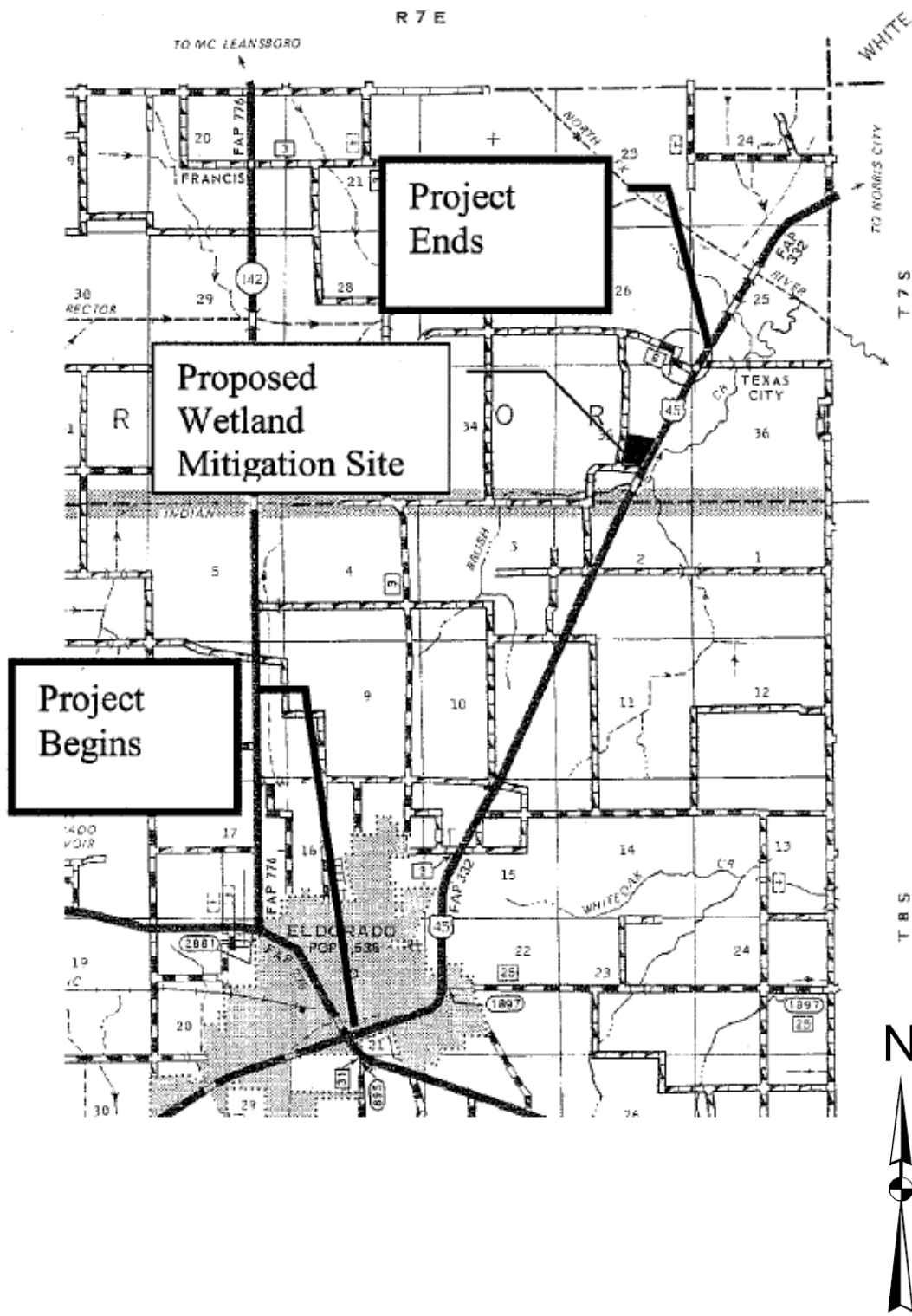
Example:

Subject: LRL-2013-1077-teh

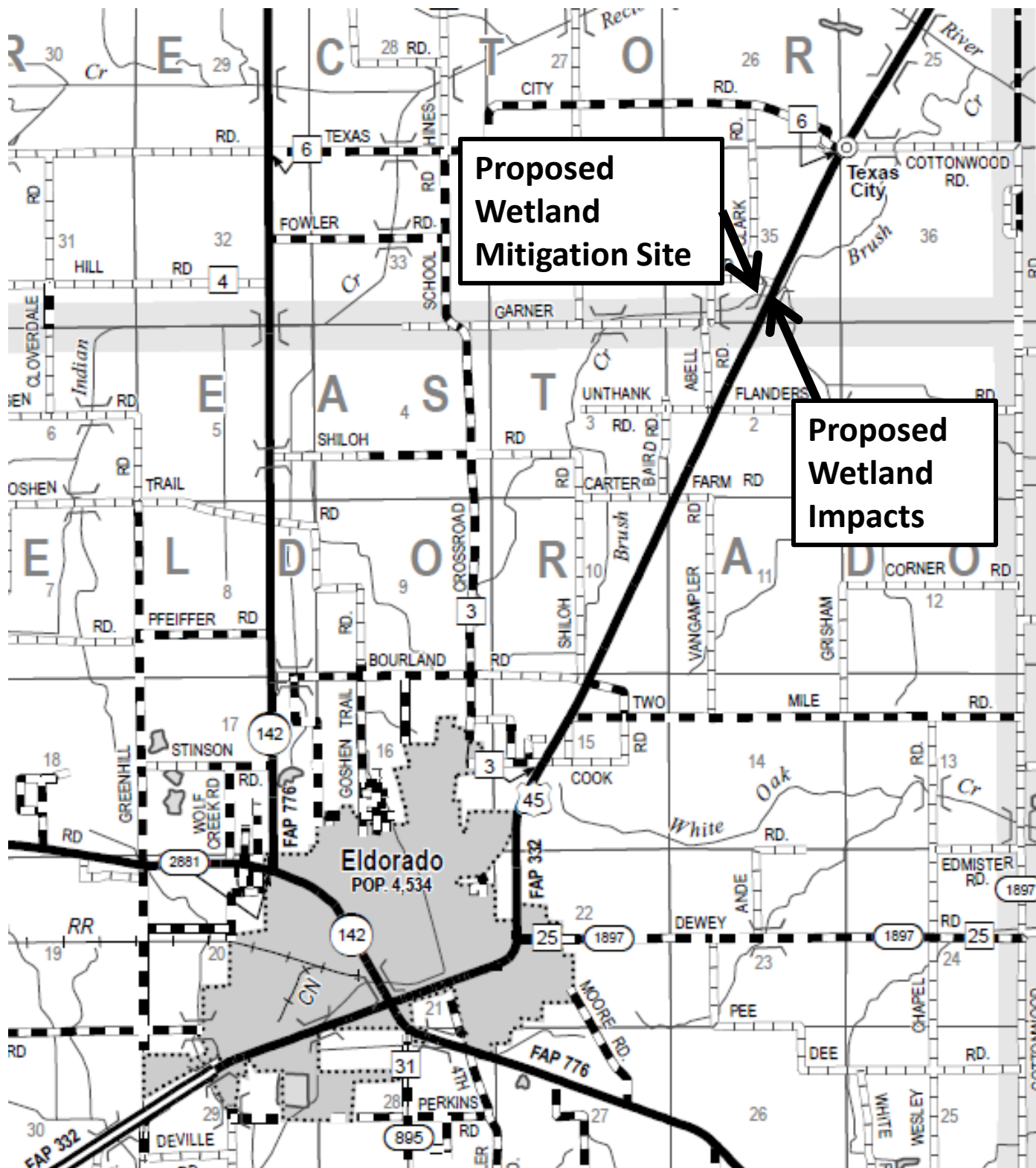
b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

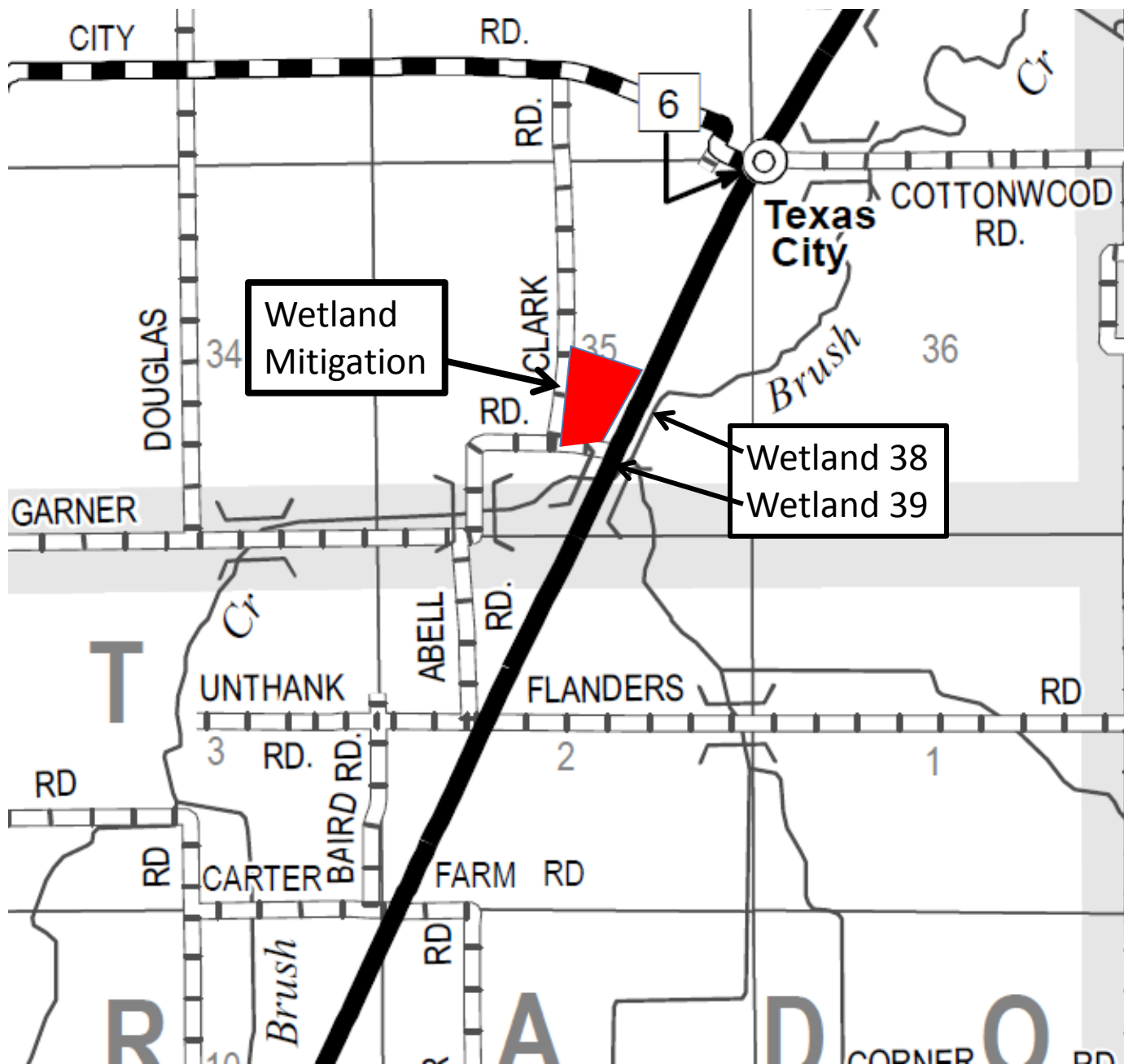
d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



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